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Non-Intrinsic Egalitarianism, from Hobbes to Rousseau

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Abstract

The recent, crisp articulation of 'Non-Intrinsic Egalitarianism' emerged out of the critique of the influential distinction between 'Telic' and 'Deontic' egalitarianisms. Part of the promise of this approach is that it can be deployed in order to reintegrate these recent philosophical debates about equality with much older currents in the history of political thought. The paper explains how the century of argument in England and France after 1650 created the intellectual space for the kind of presentation of Non-Intrinsic Egalitarian ideas such as we find in Rousseau's major political writings from the 1750s and afterwards. In so doing, the paper illustrates the striking extent to which fundamental political-theoretical disagreements are often driven not so much by competing normative commitments as by divergent understandings of how those commitments ramify through the sociological and institutional possibilities that disputants imagine are plausibly open to them.

Keywords: Equality, egalitarianism, Hobbes, Rousseau

Introduction

The debates about equality that have loomed so large in recent academic liberal political theory, at least since the publication of Ronald Dworkin's pair of articles on 'What is Equality' (Dworkin 1981a, 1981b) have been remarkable for their degree of analytical and philosophical sophistication on the one hand, and for their relative lack of reference to the history of political thought on the other. One reason for this lack of attention to previous reflection on the subject is methodological. Those who participate in these debates like to test philosophical principles against what they call their 'intuitions', often through the construction of elaborate thought experiments, with the goal (as it is sometimes described) of reaching 'reflective equilibrium', or a state in which intuitions and principles harmonize and provide mutual support for each other.¹ This is a method that can be learned and practiced by those who are largely ignorant of the history of reflection on whatever the particular topic to hand happens to be; and, indeed, this is one reason why this style of philosophy lends itself well to undergraduate teaching, since students can jump straight into a trolley problem, or a description of some kind of 'original position', or an auction involving clamshells, without having to absorb much political philosophy before they can start to make sense—or start to think that they can make sense, at any rate—of

¹ John Rawls coined the term 'reflective equilibrium', although he is careful to talk about what he calls 'considered judgments' and 'considered judgments duly pruned', in place of the language of 'intuitions'. See Rawls 1972, 20.

what's going on.²

There may, however, be a more interesting reason as to why reference to historical arguments have played such a slight role in the recent debates about equality. Jeremy Waldron once observed that 'Dworkin's distinctive contribution has been to insist that it is not enough for the egalitarian to "come up with" an answer. It has to be a defensible answer; indeed, it has to be an answer that can be defended on egalitarian grounds' (Waldron 2001, reviewing Dworkin 2000). Central to the recent debate, then, has been a concern to treat equality as a distinctive moral value, rather than as any kind of instrumental value pressed into the service of more fundamental values, such as liberty or the maximization of utility. Those contemporary egalitarians who want to insist on the non-derivative character of their commitment to equality, then, may very well find that the resources of the tradition of Western political philosophy are not especially helpful, and so they are frequently ignored. For if we are convinced that equality is to be valued primarily for non-instrumental purposes, then the history of political thought can be confusing terrain, very crudely because those discourses that have been organized around some kind of claim about the fundamental value of equality have tended in practice to endorse, or at least not decisively to oppose, what appear to us to be highly inegalitarian politics. By contrast, the richest accounts of the goodness of equality and, in particular, of the badness of inequality that we possess in the tradition have tended not to insist on the fundamental, non-derivative, or non-instrumental character of that equality.

So: those historic discourses that have been organized around a claim about the

² For critical discussion of such methods in ethics, together with a dose of skepticism that these 'neo-Kantian' methods have much to do with Kant, see Wood 2008, 43-54.

equality of human beings—whether Christian religion, Stoic philosophy, Roman law, and, more recently, modern natural rights theory—have all been highly ambivalent in practice about slavery, with all four presenting claims either about why slavery doesn’t really matter, or about how certain kinds of slavery might in practice be compatible with a teaching of formal human equality. Examples of the former would include those claims about how in Christ there is no slave and free (Galatians 3:28, 1 Corinthians 12:13, Colossians 3:11; cf. Philemon 1:12, Ephesians 6:5, 1 Timothy 6:1-3) or the Stoics’ insistence that what matters in life is the freedom of the mind rather than the body, as the mind is something that is always in our own power, in a way that the external world, which includes the physical movements of our own limbs, is not (e.g., *Manual* 1—and cf. 14—in Epictetus 1989). Examples of the latter might be the large body of Roman law dealing with slavery (*Institutes*, 1.3.2 in Birks, McLeod, and Krueger 1987; and *Digest*, 1.5.4.1 and 12.6.64 in Mommsen, Krueger, and Watson 1985; Buckland 1908), or the way in which the modern natural rights theory—arguably the forerunner of our current doctrine of human rights—was invented in the seventeenth century in part in order to provide new justifications of slavery to replace the older Aristotelian arguments which no longer seemed so convincing in the face of the kinds of skepticism articulated by Montaigne (and others) and of what we used to call the scientific revolution. John Locke’s arguments about slavery in the *Second Treatise of Civil Government* are probably the best-known examples of these, but generally analogous passages can be dug out of Grotius, Hobbes, Pufendorf, and the rest (Locke 1988, 283-5; Grotius 2005, 1360-73; Hobbes 1994, 126-9; 1998, ch. 8, 102-6; 1991, 141-2; Pufendorf 1991, 129-31; see also Pateman 1988, 39-76).

On the other hand, when writers in the tradition do write about the goodness of

equality or the badness of inequality, as I have indicated, it is often unclear that equality is playing any kind of fundamental or non-instrumental role. Take just the two names mentioned in the title of this paper, for example. Thomas Hobbes argued that the natural law teaches that each must acknowledge each other as an equal, but the natural law is a set of precepts organized around delivering the goal of civil peace, and all the values it espouses are strictly instrumental to that end. Jean-Jacques Rousseau is probably the most important political philosopher of equality of them all, his *Discourse on the Origin of Inequality*, still the key text addressing the topic in typical university courses on the history of modern political thought, but even Rousseau is explicit in his *Social Contract* that the varieties of political, social, and economic equality he prescribes are so prescribed in virtue of the fact that they are, on his view, necessary conditions for being able to live in security and freedom, rather than because they are somehow independently valuable in their own right (Rousseau 1997b, 78).

I turn now to ‘What Should Egalitarians Believe?’, an article by Martin O’Neill from the 2008 volume of *Philosophy & Public Affairs*. O’Neill offers, to my mind, the most significant political-philosophical response to what has been the most significant individual contribution to the debate on equality since Dworkin. That is to say, he has taken aim at a central distinction that has structured so many of the treatments of equality over the last quarter century or so, which is that between ‘telic’ and ‘deontic’ egalitarianism, as presented by Derek Parfit in his well-known 1991 Lindley Lecture at the University of Kansas, ‘Equality or Priority’ (O’Neill 2008, Parfit 1995, 1997). Teleological, or ‘telic’, egalitarians accept what he calls ‘the principle of equality’ and believe that ‘it is in itself bad if some people are worse off than others’ (Parfit 1997, 204). These are to be distinguished

from those he calls 'deontic' egalitarians, who believe that although 'we should sometimes aim for equality, that is *not* because we would thereby make the outcome better' (207). For deontic egalitarians, inequality is not bad, but it is unjust.

According to O'Neill, however, we're not in Kansas anymore. 'In its most attractive versions', he maintains, 'egalitarianism is neither Telic nor Deontic', but some variety of what he calls 'Non-Intrinsic Egalitarianism' (O'Neill 2008, 121). Non-Intrinsic Egalitarians object to distributive inequalities insofar as they create stigmatizing differences in status; lead to the domination of one part of society by the rest; weaken self-respect, especially that of the worst-off; create servility and deferential behavior; and undermine healthy fraternal social relations and attitudes (121-3). From the standpoint of Non-Intrinsic Egalitarianism, Telic egalitarianism appears 'extravagant and undermotivated' (123), insofar as it fails to illuminate why it is in itself bad for inequality to exist or to persist in society; while Deontic egalitarianism can also be rejected, insofar as Deontic egalitarians invoke 'some other moral reason' (124), such as justice, to explain why inequalities should be reduced or eliminated. For Non-Intrinsic Egalitarians, by contrast, the inequalities we seek to reduce or eliminate are picked out not because it is intrinsically bad that they exist, but rather because of the pernicious consequences of letting them persist in terms of stigma, domination, or servility. But this isn't a simple instrumentalist story, in which we promote various equalisation measures in pursuit of some other, deeper moral or political value. Rather, the moral reasons we invoke in defense of a project of inequality-reduction aren't fully separable from an appreciation of the value of equality itself, involving reference to what O'Neill calls a 'complex background picture of how people should live together as equals' (125). In particular, the harms that Non-Intrinsic Egalitarianism seeks

to obviate relate in one way to another to an idea of self-respect which is 'itself a distinctively egalitarian idea: it is the idea of one's self-conception as an efficacious and undominated agent...enjoying an equality of standing with others' (128). That O'Neill's intervention has been a generative one can be seen in terms of its reception. Jubb, for example, has shown in this journal (2015) how O'Neill's perspective can fruitfully contribute to the 'realist' agenda in contemporary political theory.

I find the ways in which O'Neill articulates Non-Intrinsic Egalitarianism to be politically attractive and intellectually persuasive. But his essay is also notable insofar as it holds out a promise that we might be able to reintegrate to some extent the contemporary debates about equality among political philosophers with the history of pre-1981 political thought. O'Neill himself is alert to this. He notes that the concerns of Non-Intrinsic Egalitarians are the 'dominant themes in the history of egalitarian thought, at least since Rousseau' (129), and he identifies Non-Intrinsic Egalitarianism as 'itself a Rousseauvian position' (129, n. 28). What I seek to do in the rest of this paper, then, is to try to explain why Non-Intrinsic Egalitarianism came to be such a central element of Rousseau's political theory; or, perhaps better, how the previous century of argument on related themes in England and France created the intellectual space by the middle of the eighteenth century for the kind of presentation of Non-Intrinsic Egalitarian ideas such as we find in Rousseau's major political writings.

Thomas Hobbes

Thomas Hobbes (1588-1679) has appeared to many readers to be some kind of egalitarian, but we need to acknowledge from the outset that his thinking about equality is complex (Hoekstra 2012). The ninth law of nature might teach each man to acknowledge every other as his equal (Hobbes 1991, 107), but this is not because equality is unambiguously a good thing. Indeed, the state of nature is a state of war in large part because of some of the equalities that obtain there. The famous chapter in *Leviathan* on the state of nature announces the theme immediately, beginning with the words, 'Nature hath made men so equall...' (86), with Hobbes going on to single out as particularly important the way in which from an 'equality of ability, ariseth equality of hope in the attaining of our Ends' (87). While in the civil condition the citizens may stand in a certain kind of relationship of equality *vis-à-vis* one another, that civil society itself is constructed around, even constituted by, an awesome inequality between the subjects and the sovereign. The theoretical heart of Hobbes's concern with equality, however, is clear enough. Since it is men's pride together with their propensity to make really bad judgments that makes peaceable living impossible in the state of nature, the task of political philosophy is to find a way of defusing this explosive combination. Much of Hobbes's political theory involves secularizing religious claims, and this part of it is no exception. In place of the traditional Augustinian condemnation of pride as an offense against God (Augustine 1998, 608), Hobbes transforms pride into an offense against human equality, and close to the core of his argument is a claim that we must acknowledge one another as equals, in order to make possible the kind of political institutions and practices that will bring an end to the violence of the proud. Indeed, Hobbes insists that we must make this acknowledgment of equality *even if we are not in fact equal to each other*, in whatever sense we might happen to think

relevant (Hobbes 1991, 107; Hoekstra 2012, esp. 104-5). The centrality of pride in Hobbes's argument is even indicated in his book's title, for Leviathan is described in the book of Job in these terms: 'Upon earth there is not his like, who is made without fear. He beholdeth all high *things*: he *is* a king over all the children of pride' (Job 41:33-4). When Hobbes turns to explain his choice of title at the end of chapter 28, furthermore, he flags the theme explicitly again just before he introduces his Biblical sea-monster with a remark about how it is man's 'Pride and other Passions' that 'have compelled him to submit himself to Government' (Hobbes 1991, 220-21).

So far, so straightforward. But what might Hobbesian civil society be like in practice? On the most usual view of the matter—which I shall call the Orthodox view—our passions remain the same as they were in the state of nature, but the new artificial institutions that structure our lives ensure that the passions that helped to generate violence in the state of nature no longer issue in behavior destructive either to ourselves or to others. First and foremost, the state provides the kind of effective law enforcement that creates overwhelming incentives for us not to assault our fellow citizens. But also, and more interestingly, perhaps, our passions to dominate or to glory over others find an outlet in everyday activities that don't tend to threaten the fabric of society. Some of us enter reality TV shows or take part in competitive sports and games. Others try to write the Great American Novel, or submit their scholarly articles for publication in *Philosophy & Public Affairs* and other leading journals of egalitarian political philosophy. And it may be that economic activity is like this, too. One of the problems of the state of nature is that we can't there enjoy what Hobbes calls 'commodious living' (Hobbes 1991, 90). But in civil society, instead of violently subjugating one another, we can work to accumulate wealth in order to

have a bigger house, or a faster car, or a snappier wardrobe than those of our fellow citizens, and we take a certain pleasure in the relative superiority that we enjoy in these regards.

This is not obviously an egalitarian vision of society. Martin O'Neill uses the label 'Weak Egalitarianism', in contrast to full-blown 'Non-Intrinsic Egalitarianism' (which is 'Strong'), for when we are concerned to reduce distributive inequalities, but not for a distinctively egalitarian reason (O'Neill 2008, 124-5), and we might note that Hobbes on this Orthodox view does not even meet that threshold, for as I have described things there is no particular concern to reduce the distributive inequalities that are generated through the various practices and institutions of the civil society, so long as that society is able to regulate its affairs without violence. Indeed, the point of permitting or even encouraging social and economic inequality on this view might be precisely to avoid such violence; the inequalities may be functional for the preservation of peace by satiating the yearnings of the proud.

There is more to be said on this subject, however, than simply stating what I've called the Orthodox view. Just as Hegel's philosophy naturally lent itself to 'Left' and 'Right' variations, so too we should not be surprised to find something analogous going on in the case of Hobbes. István Hont, for example, has argued for a contrast between the Hobbes of *De Cive*, who was 'relatively relaxed about economic activity', with taxation to cover military defense, but for whom 'most private trading activity fell under the rubric of innocent liberty', and the Hobbes of *Leviathan* for whom 'the regulatory regime was much more detailed and rigid' (Hont 2005, 45), with sumptuary laws, the regulation of trade, suspicion of the activities of the very wealthy, state provision for those unable to provide

for themselves, and so on, in short, some of the pillars of what we might today call a broadly egalitarian social democratic welfare state. If such measures systematically worked to reduce economic inequality, we would then have an instantiation of O'Neill's 'Weak Egalitarianism'.

There is, furthermore, one interpretation of Hobbes in the current literature—let's call it the Unorthodox view—which makes him into an even more substantively egalitarian, and perhaps even utopian theorist. On this view, which has been pressed by Richard Tuck, Hobbesian civil society doesn't involve a redirection of our potentially destructive passions so much as a transformation of them. This view draws attention to the way that on Hobbes's distinctive account of the passions, set out in each of the three main presentations of his political ideas, the emotions we experience are centrally bound up with the competitive struggle for survival in the state of nature, and they are all concerned with judgments of superiority and inferiority. As Tuck puts it, 'Our entire emotional life, according to Hobbes, extraordinary as this might seem, is in fact a complicated set of beliefs about the best way of securing ourselves against our fellow men, with all the familiar complexities of love, pride, and laughter in the end reducible simply to a set of ideas about our own relative safety from other people's power' (2004, 132). In the well-founded commonwealth, then, on the one hand, the daily struggle for existence is no longer a pressing concern; and, on the other hand, the institution of the sovereign settles once and for all the question of who is to enjoy precedence over the rest. The result of these two developments is a transformation of our emotional lives, with the prideful passions of glorying and vainglorying fading away, to be replaced by—well, maybe by not very much at all. In the civil state we are finally able to live according to the laws of nature,

acknowledging equality, behaving charitably, showing gratitude, and avoiding the expression of insult and contempt towards our fellow citizens. But note that even this interpretation of Hobbes does not transform him into a ‘Strong’ or Non-Intrinsic Egalitarian in O’Neill’s terms, and that however much this utopian view of *Leviathan* might concern itself with the avoidance of stigmatizing differences in status, of unequal power relationships, or of expressions of contempt that injure the self-respect of weaker members of society, it remains a version of what O’Neill calls ‘Weak Egalitarianism’, insofar as the equalities that obtain are still straightforwardly the consequence of a politics of preventing violence, or of the promotion of self-preservation, and desirable solely in those terms.

Samuel Pufendorf

Although Hobbes’s claims about equality were attacked by his conservative, patriarchalist critics (e.g., Clarendon 1676, 32-3, or Coke 1660, 26, quoted in Parkin 2007, 230), other writers in the modern natural law tradition retained some kind of claim about equality at the heart of their theories, too. I’m not going to address any of John Locke’s arguments here. His egalitarianism is complicated, but seems to me to lean more towards what we might call Intrinsic Egalitarianism, in contrast to the Non-Intrinsic variety under consideration here. (For relevant discussion of Locke see especially Waldron 2002.) I do, however, want to say something about Samuel Pufendorf (1632-1694), who was far more influential in his own day than he is in ours—whereas in the case of Locke, it is other way around, more or less, at least with regard to the kind of arguments I’m considering here. Pufendorf can be located as a component part of the process that Jon Parkin has called

‘taming the Leviathan’ (2007), through which the more radical, subversive, or disturbing aspects of Hobbes’s argument could be smoothed away as his theory was revised and incorporated into an invented tradition of modern natural law that could be safely propounded in the universities. What’s striking about Pufendorf’s presentation for present purposes is the way in which he can repeat some of Hobbes’s foundational egalitarian moves that underpin something like what I’ve called the Orthodox view, but then works to spin out from them an even more overtly inegalitarian vision of modern society than anything we find in Hobbes.

So: Pufendorf’s theory has a Hobbesian core. Men might be naturally unequal with respect to their various physical and mental attributes, and yet he demands (as the title of book 3, chapter 2 of *The Law of Nature and Nations* has it), ‘That all Men are to be accounted by Nature equal’ (cf. Viroli 1988, 66). Here are some of his words: ‘Since then human Nature agrees equally to all Persons, and since no one can live a sociable Life with another, who does not own and respect him as a *Man*; it follows as a Command of the Law of Nature, *that every Man should esteem, and treat another as one who is naturally his Equal, or who is a Man as well as he*’ (Pufendorf 1749, 224). But although this part of the natural law is framed in broadly egalitarian terms, Pufendorf strongly resisted any further moves in the direction of substantive social or economic equality. ‘[D]isparity of Riches does not of itself cause any Inequality³ amongst Fellow-Subjects’, he declared, and there is ‘nothing in this *Civil Inequality* any ways repugnant to those Precepts, which we have

³ The printed text here has ‘Equality’, but this must be a typographical error, and it is corrected in a centuries-old hand in the edition I consulted (the British Library copy available through ECCO).

before deduced from a *natural Equality* (1749, 232). And in his discussion of price and esteem, for example, he quoted, paraphrased and registered his disagreement with Hobbes's own discussion of what it is to honor someone (e.g. in ch. 10 of Hobbes 1991), and included this remark:

And as the chief Reason why a *Price* was set upon *Things*, was, that when they were to be exchanged or removed from one Person to another, they might be the better *compared* with one another; so the End intended by *Esteem*, is, that we may be able to form a *Comparison* between Men, by setting, as it were, a *Value* upon them, and, in Consequence, establish a becoming *Order* and *Distance* between them, whenever they should happen to be *united*; it evidently appearing, that nothing was more absolutely inconsistent with the *Convenience* of Life, than an *universal*/Equality (Pufendorf 1749, 800).⁴

This last remark, in fact, points towards what is one of the most substantial theoretical disagreements between Hobbes and Pufendorf. For Hobbes, honor was mostly a troublesome business, driving men to seek precedence over one another and, above all, to avoid losing face. Hence 'glory', closely related to honor in Hobbes's typology of the

⁴ The ensuing discussion of esteem is then structured around a distinction between 'simple esteem', which is what all citizens owe one another, as long as they do not violate basic norms of sociability or non-criminality, and 'intensive esteem', which is how they make the kind of discriminations described in this passage in the civil state. This passage is discussed by Viroli 1988, 81, though the interpretation of the relationships that hold between Hobbes and Pufendorf and between Pufendorf and Rousseau are different to the ones presented here, for which I am indebted to Richard Tuck.

passions, was one of the causes of war in the state of nature. Honor and esteem were far less troubling for Pufendorf, however, as any tendency that practices of honoring and esteeming others might have towards fomenting conflict in the state of nature was more than balanced by a second, utilitarian tendency, which fostered a certain kind of sociability among men even in the state of nature. Men might not have had a straightforwardly natural instinct or propensity to be sociable, on Pufendorf's view, but in the state of nature they were weak and needy, and this aspect of their condition drove them to engage in exchange, commerce, trade with one another, all for the sake of utility. We might say, if we like this kind of language, that where the state of nature was more like a zero-sum game on Hobbes's account, it was, with reciprocal exchange, a positive-sum game as far as Pufendorf was concerned. This 'commercial sociability', to use István Hont's jargon (e.g. 2005, 40-41), was not the foundation of the state—as we might think that it was for Aristotle, for whom the *polis* originated in the bare needs of life, even if it continued in existence for the sake of a good life (1988, 1252b30)—but it was the foundation of a very influential account of non-political society. Indeed, this distinctive theorization of sociability, or, in Latin, *socialitas*, led to Pufendorf's followers being known as the 'socialists' or *socialisti* in seventeenth- and eighteenth-century Germany (on which see Hont 2005, 159-60 n. 1).

The Augustinians: Pierre Nicole and François de Fénelon

Just as the resources of the modern natural law tradition could be deployed in the service of a range of arguments, from what I've called the Unorthodox view of Hobbes through to the much more inegalitarian approach of Pufendorffian commercial sociability,

seventeenth-century Augustinianism (here fairly broadly construed) was another discourse that could generate sharply-competing economic orientations. Pierre Nicole (1625-1695), for example, who belonged to the group of dissident Catholic ultra-Augustinians known as the Jansenists, developed an argument that could look strikingly like Pufendorf's, even though it was built on very different theoretical foundations. A very different kind of Augustinian, François de Salignac de la Mothe-Fénelon (1651-1715), Archbishop of Cambrai and anti-Jansenist, provided an argument which has some affinities with a more egalitarian interpretation of Hobbes.

Augustinians teach that after the Fall of Man, humans are doomed to sin in the absence of divine grace, i.e., to act on morally base motives. These were generally grouped together under the general heading of 'concupiscence', but concerning which Nicole came to deploy a slightly different vocabulary, that of '*amour-propre*', or self-love (1696). Although it was sinful to act on the promptings of our self-love, Nicole argued that divine Providence ensured that, when we did so, society remained just as orderly and prosperous as it would have been had we acted in accordance with the morally preferable motives of charity, understood as the disinterested love of God and one's neighbor (1696; Parrish 2007, 188-203). This being the case, we could never reliably infer from the observable consequences of our actions whether we had acted virtuously or not, whether we had in fact been the recipients of the kind of divine grace that would enable us to act meritoriously; and, further, any attempt to inspect our own psychological motivations in pursuit of an answer to this question would run into layer upon layer of self-deception. Right now, we see through a glass darkly; but on the day of judgment, we will understand the true nature of our actions clearly enough.

For Nicole, the intercourse of self-interested agents mutually pleasuring one another—the sexual language is not at all out of place in this kind of Augustinian theory—might be deplorable from the moral point of view; but, even as such a society generated unequal outcomes, so too the various ties of reciprocal self-interest supported rather than undermined a general social cohesion. In this, Nicole was fully in line with Pufendorf's commercial sociability (on which see Hont 2005, 47-50). From one point of view, Nicole's argument looks a bit like what I called the Orthodox view of Hobbes, involving a claim that things have been arranged in such a way that acting on prideful and other selfish passions turns out not to generate destructive conflict after all. But it isn't quite the Orthodox view, insofar as it is God who has so arranged things, rather than the 'mortall God', the Leviathan sovereign. If it is God who ensures these outcomes, then we might reflect that the central Hobbesian problem of the state of nature isn't really a problem at all, and the aggregated self-interested actions of men don't contribute towards making life solitary, poor, nasty, brutish, or short. There are certainly conspicuously Hobbesian elements in Nicole's theory: a Fallen account of human nature, and, as it happens, a staunch defence of absolutism in politics; but we might reflect that it's actually a pretty non-Hobbesian social theory doing the heavy lifting.

We get a very different kind of account from a very different kind of Augustinian. 'As arbitrary power is the bane of kings', Fénelon wrote in *Telemachus*, his sharp attack on the economic and military policy of Louis XIV, 'so luxury poisons a whole nation' (Fénelon 1994, 294). In words that still resonate, 'All live above their rank and income, some from vanity and ostentation, and to display their wealth; others from false shame, and to hide their poverty' (297). Fénelon argued that running an economy devoted to the production

and consumption of luxury goods made war more likely, as those without access to luxury goods were tempted to use violence to acquire them, and it made that war more dangerous, because ‘these superfluities enervate, intoxicate and torment those who possess them’ (110), making them less able to fight (134). Hobbes and Augustine might not have agreed about much, but they both thought that the goal of politics was the earthly peace. Fénelon’s charge was that any kind of Hobbesian state that permitted luxury threatened therefore to fail in its own terms. Far from the Jansenists’ darkly ironic celebration of the web of the world market, Fénelon advocated the state’s reconstruction of the entire economic sphere. His ideal modern state was presented towards the end of *Telemachus*, with his description of the city of Salente after it had been reorganized by Telemachus’s tutor Mentor, who was actually Minerva, the goddess of wisdom, in disguise. Reformed Salente is mostly made up of farmers, with the profits from agriculture spent not on luxuries but on domestically-manufactured armaments, in order to deter foreign aggression (160-72, 294-6).

The claim is sometimes made that Fénelon was the originator of the Revolutionary slogan, ‘*liberté, égalité, fraternité*’ (on which see Quantin 1989). If the slogan does have anything to do with Fénelon, it probably owes to the description of the idyllic pastoral community at Bétique that he offers in *Telemachus*: ‘[T]hey love one another with a brotherly affection that nothing can trouble. It is to their contempt for vain riches and illusory pleasures that they are indebted for this union, peace, and liberty. They are all free and all equal’ (1994, 111). The components of the revolutionary triad are all here, to be sure, but it’s hard to resist the thought that the attempt to pin the slogan on a seventeenth-century Archbishop is at bottom a piece of Catholic counter-revolutionary politics rather than anything else. For although Fénelon certainly was a cosmopolitan—one of the best-

known cosmopolitans in the eighteenth century, in fact—he wasn't much of an egalitarian at all. His disciple, the *chevalier* Ramsay (1686-1743), rejected the idea of natural equality in his statement of the foundations of political theory 'according to the principles of the late archbishop of Cambray' (Ramsay 1722, 30-35); and in Fénelon's description of Reformed Salente, the concern was not to abolish the various social classes, or to equalize their living standards, but rather to make sure they didn't interact with one another in ways that generated discontent and civil strife. Egalitarian social relations might indeed be feasible in primitive, idyllic Bétique, but not for post-luxury Salente. Fénelon was not a Hobbist—indeed, Ramsay correctly insisted that his political theory had been directed against both Hobbes and Machiavelli (among others). But if the theoretical basis of the argument is quite different, we can, nevertheless observe certain commonalities between the institutional and economic superstructures of the more egalitarian interpretations of Hobbes and Fénelonian monarchy, with their depictions of an absolute monarch comprehensively structuring social and economic life in order to produce a frugal, industrious, harmonious and unconquerable population.

Montesquieu

Following in Fénelon's footsteps, Charles-Louis de Secondat, baron de La Brède et de Montesquieu (1689-1755) was also troubled by the trajectory of the absolutist monarchy in France. Fénelon had written that the monarch had to learn how to 'slacken the bow of power', and this might be a useful way in to Montesquieu's political thought, too (Fénelon 1994, 297). But the argument that he set out in his various writings, culminating in *The*

Spirit of the Laws, represented a distinct alternative to the politics of Fénelonian reform. On the one hand, Montesquieu rejected the anti-commercial politics of Fénelon's Reformed Salente. There was no good reason why a modern society should not seek to be a wealthy society, and Montesquieu did not share Fénelon's anxieties about the tendency of luxury to generate international conflict (Hont 2006, 404-409). But on the other hand, although Montesquieu found much to agree with in Bernard Mandeville's account of modern social and economic life as presented in *The Fable of the Bees* (Mandeville 1924), he could not straightforwardly endorse Mandeville's description of British politics and society, at least, not as a model for France. The English constitution had evolved in a remarkable way that preserved liberty amidst the furious clash of political parties and the bustle of commercial life, but Montesquieu thought that this happy outcome was the unintended consequence of England's idiosyncratic, violent and unstable political development in the seventeenth century, but not one that could be deliberately copied by its neighbor (on which see, e.g. Sonenscher 2007, 41-52).

In place of Fénelonian monarchy, therefore, Montesquieu offered a new theorization of monarchy, in which the power of the monarch had to be limited in order for the liberty of the subjects to flourish. A new politics of inequality was absolutely central to this political vision. One chapter title early in *The Spirit of the Laws* is pointedly called, 'That virtue is not the principle of monarchical government'; rather, the principle of monarchy was honor, and, according to Montesquieu, the nature of honor 'is to demand preferences and distinctions' (Montesquieu 1989, 25, 27; for discussion see Krause 2002; cf. Brooke 2017). He freely conceded that there was no *moral* reason as to why aristocrats should receive any kind of preference, and that there was something false about honor, 'but this false honor is

as useful to the public as the true one would be to the individuals who could have it' (Montesquieu 1989, 27; see also Sonenscher 2007, 103-104). The trick about honor in a monarchical society was that an unintended aggregate by-product of the jealous safeguarding of privileges and distinctions at all ranks in society was the preservation and buttressing of all of the subjects' liberties—which included the liberties to engage in commerce, thereby to become wealthy, thence to buy one's way into the honorable ranks of the otherwise non-commercial aristocracy.

We might think that this kind of defense of the utility of inequality for politics required a theoretical rejection of the more egalitarian interpretations of Hobbes, and, indeed, it's probably fair to say that Montesquieu is the most radically unHobbesian political theorist in the mainstream of the modern tradition. Montesquieu rejected pretty much the entirety of Hobbesian political theory, starting with the celebrated depiction of the state of nature. Where for Hobbes, it was certain equalities that obtained in the state of nature that made it a state of war, for Montesquieu, by contrast, the equality that prevails in a state of nature contributes to it being a peaceful state; but that, 'As soon as men are in society, they lose their feeling of weakness, the equality that was among them ceases, and the state of war begins' (Montesquieu 1989, 7). On the Unorthodox view of Hobbes, we are proud in nature, or in ill-constructed commonwealths, but in the well-founded state pride is effectively abolished. For Montesquieu, by contrast again, proud behavior is not natural but learned, far more at home in the social state than in the state of nature, and, as I've indicated, the politics of distinction, privilege and hierarchy were central to his conception of monarchy. Montesquieu dismantled Hobbes's system into its component parts, and rearranged them in strikingly unHobbesian ways. Managing equality and fear correctly

were central elements of good Hobbesian politics; whereas Montesquieu drove a wedge between these two, organizing his account of democratic republicanism around the idea of virtue as the love of equality, and his account of despotism, the nightmare possible future for France, around his notion of fear, or ‘dread’ (*crainte*).⁵

Montesquieu was convinced that France had to be organized along thoroughly inegalitarian lines if her citizens were to prosper in freedom. But how then should we characterize the egalitarianism of the democratic republics that he also theorized, whose animating principle was virtue, specifically understood as a love of equality? Here I’ll draw on the words of Judith Shklar. ‘A tight, cohesive little society of mutually watchful citizens is essential to maintain democracy and its spirit of equality’, she wrote:

Censors must reinforce these informal restrains upon the conduct of adults, but nothing is more important than the upbringing of the young, who must obey the old in rigidly patriarchal households... The accused criminal must be given the most extensive protection, for the life of every citizen is equally precious, but once a sentence has been passed, there can be no pardon... [There will be] [s]umptuary laws... Since women are treated as articles of consumption in these societies, their chastity and domestication are part of the frugal probity of an egalitarian republic. Because all relationships are public in a republic, male friendship is realized only there... This was Athens at its best and it haunted Montesquieu’s imagination (Shklar 1987, 77; also Montesquieu 1989, 104-11).

The inequalities of status and rights that obtain between men and women prevent us late

⁵ For a comparison of Hobbes and Montesquieu on ‘fear’ and ‘*crainte*’, see the first two chapters of Robin 2004.

moderns considering this a Non-Intrinsic Egalitarian position, obviously enough. But, if we were to set gender aside, the logic of this position does seem to me to be Non-Intrinsically Egalitarian. Recall the key criteria, as O'Neill set them out. It is vital in Montesquieu's democratic republic for the citizens to avoid stigmatizing differences in status and relations of domination. (Montesquieu would deny that the old dominate the young in any objectionable way, as this is just a matter of democratic taking turns across the life-cycle.) The love of equality that characterizes the republic is essential for the self-respect of all citizens, and warns them against servile relationships. And the remarks about male friendship remind us what a thoroughly gendered idea the ideal of fraternity—central to the politics of Non-Intrinsic Egalitarianism—in practice (almost?) always turns out to be. A Montesquieuian democrat would agree that Parfit's 'telic' view of equality is 'extravagant and undermotivated', as O'Neill suggests; and the democratic republican's concern for equality does not here grow out of a wider theory of justice, as the 'deontic' egalitarians tend to suggest, but is a distinctively political phenomenon specific to a particular regime-type.

However interested Montesquieu was in describing the nature and structure of the democratic republic, this was not a state form he thought that moderns should try to create, or to recreate (De Dijn 2013). Modern Europe was not especially hospitable to small regimes, and Montesquieu insisted that his democratic republics had to be very small indeed, if relations of equality were to endure among the citizens. The Roman Republic became large, and that was its undoing—and the subject of Montesquieu's second book (1999). Certainly, Montesquieu's insistence on the small size of republics helped to create the terms of the debate that Jacob T. Levy has described (2006): Hume and the authors of

the *Federalist* are the best-known critics of the ‘small republic thesis’, and obviously these concerns deeply informed the constitutional deliberations at Philadelphia. But we might just note here that as the republic becomes larger, more representative and more commercial, the content of the equality that supposedly stands at its heart gets increasingly watered down into a civic ideal, or a bare claim of equality before the law, and it becomes hard to see quite how, say, Montesquieu’s ‘love of equality’ is doing any distinctive work in the argument any more. The continental, federal republic that James Madison and Thomas Jefferson helped to create, for example, was not a Non-Intrinsic Egalitarian one, and not just because of the presence of slavery in its midst.

Jean-Jacques Rousseau

What might we say about Jean-Jacques Rousseau (1712-1778), in light of the story that I’ve been setting out in this paper? First, the Non-Intrinsic Egalitarianism of Rousseau’s *Social Contract* and other writings on republican politics is obviously very closely modeled on Montesquieu’s democratic republic, complete with the features we might find obnoxious: mutual surveillance, the censorship of morals, strictly regulated consumption, and the exclusion of women from the political realm. (It will never do, by the way, to say that Rousseau was thoughtlessly sexist in the manner of so many of his contemporaries: he thought long and hard about gender indeed before coming to his various conclusions—on which see Rosenblatt 2002.) We should not be surprised by this. Rousseau might not quite have been Montesquieu’s disciple, but he was hugely impressed by and interested in *The Spirit of the Laws*. This was a book that he had read with great care, and from which he had

made very extensive notes, while working as a secretary for the Dupin household from the later 1740s—and this was also the period which was also his introduction to serious thinking about gender, for if M. Claude Dupin had him working on Montesquieu for a critical response that he was preparing (1750-51), Mme. Louise Dupin put him to work to assemble material for the history of women that she wanted to write (Cranston 1983: 204-7, 213-15).

Rousseau's key disagreement with Montesquieu was presented in the section on politics in his educational novel, *Emile*. After dismissing Grotius as a 'child of bad faith' ('*enfant de mauvaise foi*'), and Hobbes as someone who agreed with Grotius—'their principles are exactly alike' ('*leurs principes sont exactement semblables*')—he turned his attention to Montesquieu:

The only modern in a position to create this great and useless science was the illustrious Montesquieu. But he was careful not to discuss the principles of political right. He was content to discuss the positive right of established governments, and nothing in the world is more different than these two studies. (Rousseau 1979, 458.)

We might see Rousseau's response to Montesquieu as having two central elements, represented by his two best-known political texts, the *Discourse on the Origin of Inequality* and the *Social Contract*. In the first (1997a, 111-222), Rousseau embraced the just-so story genre so popular in the eighteenth century, and, confining himself almost entirely to premises that Mandeville had accepted, he argued that modern hierarchical societies,

whether Mandeville's or Montesquieu's, must all rest on the violence of the rich against the poor.⁶

If the *Second Discourse* sought to delegitimize existing egalitarian social and political forms, the *Social Contract* provided the body of political theory that showed what a legitimate regime must look like, and in the light of which so much of Montesquieu's presentation became untenable. The subtitle Rousseau eventually settled on for the *Social Contract*, was the 'principles of political right', or the '*principes du droit politique*', exactly what he said in *Emile* that Montesquieu himself had failed to provide, and the moment when he made his objection to Montesquieu explicit came in a remark near the end of the discussion of democracy as a form of government. He outlined the 'many things difficult to combine' that a democracy would require, and then observed:

That is why a famous Author attributed virtue to Republics as their principle; for all these conditions could not subsist without virtue: but for want of drawing the necessary distinctions, this noble genius often lacked in precision, sometimes in clarity, and he failed to see that since Sovereign authority is everywhere the same, the same principle must obtain in every well-constituted State, more or less, it is true, according to the form of the Government. (1997b, 91-2.)

Monarchies might require less virtue, and democracies more, but virtue, understood in terms of a commitment to egalitarian citizenship and love of the *patrie*, was, for Rousseau, the principle of all legitimate political regimes.

⁶ On reading Rousseau's *Second Discourse* as a Mandevillian reply to Mandeville, see Smith, "A Letter to the Authors of the Edinburgh Review" in Smith 1980, esp. pp. 250-51; Force 2003, 18-22 and 34-42; and Robertson 2005, 392-6.

By going back to the *principes du droit politique*, specifically in the form of a social contract argument, we might think that Rousseau was restating a version of Hobbes's theory, or those of the modern natural lawyers, such as Pufendorf. But he firmly resisted the modern natural law school,⁷ having contempt for those he called the 'jurisconsults', who provided justifications for the rule of the oligarchs in his native Geneva or for the wars that the sovereigns of Europe were ceaselessly waging (Rousseau 1997b, 162; also Rosenblatt 1997). Indeed, his unpublished essay on 'The State of War', Rousseau presented his own version of the argument that Hobbesian political thought failed in its own terms, for whether or not a state were victorious in modern warfare, modern warfare was itself made possible by the Leviathan state, and was so bloody and destructive that it was crazy to think that such a Leviathan state could be the answer to the far more mild security dilemma of any plausible state of nature (Rousseau 1997b, 162-76; see also Tuck 1999, 202-7). And with reference to the passage from Pufendorf on esteem and price, and against universal equality, reproduced earlier, Richard Tuck has remarked (in his unpublished 2000 Robert P. Benedict Lectures at Boston University) that it 'captures with remarkable clarity the twin objects of Rousseau's scorn in the 1750s, commercial society in which commodities are exchanged on the basis of their price, and the society of social inequality in which discriminations are made on the basis of honour.' Rousseau had more respect for Hobbes. Despite what he said about him in *Emile*, for example, he wrote elsewhere that Hobbes had been 'one of the finest geniuses that ever lived' (Rousseau 1997b, 164). But he also considered Hobbes to be an apologist for despotism owing to the chief theoretical gulf

⁷ Robert Derathé (1950) suggested that Rousseau was basically a member of the modern natural law school, but his position was refuted in Wokler (1994). But cf. Douglass 2011.

that separated their two political theories (42-4); for Hobbes sovereignty was necessarily representative in nature, and could be alienated or transferred, whereas for Rousseau the idea of representing sovereignty at all was absurd (113-16). The only legitimate sovereign body was the people itself, meeting face to face from time to time in order to ratify legislation—and insisting on this allowed Rousseau to deny the inequality that structured even more egalitarian interpretations of Hobbes's political thought, that between the subjects and the sovereign.

Rousseau's distinctive contribution to this history of Non-Intrinsic Egalitarianism, then, is not that he was the first to articulate a Non-Intrinsic Egalitarian point of view. Montesquieu had done that with his depiction of democratic republicanism, as had other writers in the Utopian tradition before both of them, for whom the overcoming of pride was also often considered crucial to the possibility of happy social living together, as in More's *Utopia* itself (Parrish 2007, 149-53). Rather, Rousseau was the first to tie the question of Non-Intrinsic Egalitarianism as it had come up within the modern tradition firmly to the question of legitimate politics itself, or the *principes du droit politique*, to argue that the only legitimate regime was a Non-Intrinsically Egalitarian polity—a move which Hobbes and Montesquieu, in their different ways, had each declined to make. O'Neill is right to say that the concerns of Non-Intrinsic Egalitarians have been 'dominant themes in the history of egalitarian thought, at least since Rousseau', but insofar as modern democratic theory is a series of footnotes to Rousseau's *Social Contract*—a view I shall assert here but not defend (but see Gaus 1997)—Non-Intrinsic Egalitarianism is intimately bound up with the history of democratic theory itself.

Concluding Reflection

Many people who find themselves attracted to egalitarian politics find that they are also attracted to cosmopolitanism in ethics, and often enough to more rather than less robust accounts of the natural sociability of humankind. (Think of those on the political Left, for example, in ordinary life, who dislike those on the right for attributing too much to natural selfishness, and discounting the possibilities of altruism.) It's a very striking feature of the period I've been discussing in this paper, however, that egalitarianism and cosmopolitanism and the thicker accounts of natural sociability never really line up in this neat way. The three conspicuously egalitarian views I've considered in this paper, whether Hobbes on the Unorthodox view, Montesquieu's presentation of the democratic republic, or Rousseau's political theory, all rest on the denial or the radical attenuation of natural sociability, and all reject cosmopolitan ethics at a fairly deep level. Indeed, both Montesquieu and Rousseau can plausibly be read as arguing that egalitarian social relations are possible only to the extent that the community thinks itself different from and superior to its neighbors: *amour-propre*, after all, must find an outlet somewhere. By contrast, those who taught a thicker account of natural sociability, whether Grotius, Pufendorf, Barbeyrac or Burlamaqui, were influential apologists for inequality (Rosenblatt 1997, 90-101); and the most obvious cosmopolitans in the tradition are the Augustinians, especially Fénelon.

The reason for this is that the thinkers I've been discussing were extremely nervous about how deep the various human practices of comparing ourselves to one another go, and how fundamentally the subjective judgments of superiority and inferiority that we so

frequently make shape our lives and those of the others around us. What Rousseau and Hobbes (on the Unorthodox view at least) both suggest is that if you're serious about doing away with the pride and jealousies and vainglory and stigmatizing inequalities that disfigure our social existence, then a very radical and distinctively illiberal political solution is required. And if, with Montesquieu and Rousseau, the point of such an egalitarian community is that it exercises self-rule, ruling out the option of a monarchical Hobbesian sovereign, then the population needs to organize itself in the ways they recommend, mutual surveillance, moral censorship, gender segregation and all. Contrary to what so many contemporary egalitarians have said so often about their own commitments, in fact, for these thinkers equality really does mean a kind of sameness.

One of the attractions of Non-Intrinsic Egalitarianism is that it is not just an abstract ethical theory. Non-Intrinsic Egalitarians need to pay close attention to the social institutions and the psychological mechanisms that generate stigma or that undermine self-respect. And it may be that those who want to place Non-Intrinsic Egalitarianism at the heart of their political thinking today might usefully be thinking in a much more sociological vein that they have been doing hitherto. What in the contemporary world sustains and what undermines a politics of Non-Intrinsic Egalitarianism? The best example of a recent society that comes fairly close to the kind of democratic republics Montesquieu and Rousseau were thinking of seems to me to be something like Israel in the 1950s and 1960s, and I think they would both agree on something that seems to me to be sociologically plausible, that the egalitarianism and the nationalism and the militarism and the antagonism towards her neighbors that characterized Israeli political development in this period were all deeply interwoven with and provided mutual support for one another.

If that isn't the kind of society Non-Intrinsic Egalitarians today want to work towards, then what kinds of institutions might provide adequate functional substitutes for the various practices of nationalism, militarism and xenophobia? Or we might think of European social democracy in its classic phase, 1945-73, in which a far more moderately egalitarian society—and in many ways not egalitarian at all—was shaped and sustained by factors as important and diverse as the Cold War, a remarkable capitalist boom (in French, *les trente glorieuses*), and the strikingly contingent way in which the Second World War helped to bring about a far-reaching transformation of the right-hand side of the ideological spectrum. Again, if Non-Intrinsic Egalitarianism is to present itself as more than wishful thinking for a bygone and deeply imperfect era, it has a lot of thinking to do, but most of it on the terrain of political sociology rather than high-level normative theory.

Rousseau was quite right to criticize Montesquieu for his neglect of the principles of political right, but we might conclude that our problem is the opposite of that. Rousseauism in its contemporary incarnation as Rawlsian political thought is ubiquitous in many parts of the academy, and it pays the closest attention imaginable to the *principes du droit politique*. (For a similar complaint, see Hurley 2006, 152.) What our age needs, by contrast, is a revival of the tradition of political thinking associated above all, ironically enough, with that pillar of the *ancien régime*, the Baron de Montesquieu.

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BIOGRAPHICAL STATEMENT

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Response to the Editor

I have revised the article, and am resubmitting it now, in a slightly shorter, tighter version.

The three major changes are as follows:

- The passage on Mandeville has been cut.
- The discussion of O'Neill has been extended, both at the beginning (to explain more clearly why I am focusing on this article) and at the end (with a new sentence addressing a key point that a number of readers have raised, about just how 'non-intrinsic egalitarianism' positions itself between 'instrumental' and 'intrinsic' accounts of the same value). (I have however kept the short discussion of Parfit: the significance of O'Neill's argument is that it constitutes the most theoretically cogent individual response to Parfit, who in turn made the single most important contribution to the post-Dworkin debate, so he warrants mention; and I refer to Parfit explicitly later on in the piece, in order to elucidate why it is reasonable to view Montesquieu's depiction of the democratic republic as an instantiation of non-intrinsic egalitarianism.)
- The earlier version was justly criticised for the use of the language of 'Strong' and 'Weak' to describe different interpretations of Hobbes, which overlapped with O'Neill's different distinction between Strong and Weak egalitarianism: I have replaced this with a distinction between Orthodox and Unorthodox interpretations of Hobbes.

In addition to these changes, some irrelevant historical detail has been cut, some further 'apparatus' has been added (e.g. new items in the bibliography include De Dijn 2013, Douglass 2011, Gaus 1997), the reliance on Hont has been de-emphasised somewhat, and various minor changes have been made throughout.

Response to Reviewer #1

It was gratifying to read that Reviewer #1 considered this to be a 'stunningly good piece'.

I have added, as requested, a 'little bit more explaining Martin O'Neill's categories' and a mention (via Jubb 2015—a piece from the *Journal of Politics*) of how his piece has proved fruitful for recent political theory.

Response to Reviewer #2

Despite Reviewer #2's recommendation against publication, I was glad to read that s/he 'deeply approve[d] of both the methods of the manuscript and its important conclusion'.

I agree that the article ranges sufficiently widely that it cannot fully 'demonstrate this thesis in the space available'. As Reviewer #2 suggests, that would require a monograph in its own right. But the point of the article was not so much to do that, but to provide a more schematic treatment, on the one hand to show contemporary political philosophers how their most significant recent arguments speak to a central theme of modern political thought in ways that they may not perhaps fully recognise, and to show historians of political thought how the richest contemporary political philosophy has still not fully moved beyond the confines of the

debates with which they are most concerned. This is above all why I hope to publish in a general political science journal, such as the *Journal of Politics*, rather than in either a specialist political philosophy journal (which would find the article too historical) or a specialist history journal (which would find the engagement with contemporary theory eccentric). It is true that work of this kind can never really be the final word on the questions it considers, or the arguments it proposes, for some of the reasons Reviewer #2 indicates. But I strongly believe that there is a place for work of this kind in the literature, and hope that the revisions will have made it acceptable for publication.

In response to criticism, I have shortened some of the ‘extended quotations’ (such as in the section on Pufendorf), trimmed back some of the ‘basic facts about historical context’ (though kept some others, bearing in mind that this is an article for a general political science readership, who cannot be expected to know much about, e.g. Nicole or Fénelon), and excised altogether the section on Mandeville, which helps to streamline the presentation (not least since instead of bouncing back and forth across the English Channel, the Nicole-Fénelon-Mandeville-Rousseau sequence keeps things focused on the French argument).

If there are ‘no real advances in the considerable existing literatures on each’ of the writers I examine, again, that’s not quite the point. This article doesn’t aim to change anyone’s mind about Pufendorf or Montesquieu, so much as to show how if you fit these writers’ arguments together in a certain configuration, one can see more clearly than hitherto how they speak to some large-scale questions in the analysis of politics, both historical and contemporary.

I have come to agree that the language of ‘Strong’ and ‘Weak’ interpretations of Hobbes was causing confusion, so that has been jettisoned. If the earlier version was ‘indecisive’ on the question of Montesquieu’s verdict on classical republicanism, I have removed that indecision (he is against), with a reference to De Dijn, who has offered one of the best recent presentations of that case (though there are also passages by Sonenscher or Douglass that would have done just as well).

I close by saying that I do appreciate it that Reviewer #2 would like to read an imagined book, with six or seven chapters covering the ground of this article. It is true that I do have a book project which moves back and forth between what we might call contemporary (since 1971?) and modern (since 1651?) political philosophy—but the book in progress is *not* straightforwardly an expanded version of this article (it has more to say about justice and Rawls, than about equality on Dworkin/Parfit/O’Neill), which was always envisaged as a free-standing piece.

Response to Reviewer #3

I thank Reviewer #3 for detailed comments that have helped me make this a stronger piece.

Reviewer #3 rightly remarks that ‘The most serious weakness of this paper, from which the others derive, is that there is too much going on’. As noted above, there is now somewhat less going on, with the excision of Mandeville, the retreat from the doubling-up of the language of ‘Weak’ and ‘Strong’, and the trimming back of some historical detail. It is a more streamlined paper than it was before, which ought to help make the central argumentative line a bit clearer.

Reviewer #3 asks for ‘some justification for the choices...made’. I have said a bit more in the revised piece with this concern in mind. I say that O’Neill has been selected as the most substantial political-philosophical response to Parfit, who himself has offered the most influential post-Dworkin intervention in the analytical philosophical conversation. This kind of liberal political philosophy, in my view, needs to move beyond Parfit (and further beyond Dworkin), and O’Neill helps it to do that; and from my point of view has the further benefit of facilitating the reintegration of the debate about equality with pre-Dworkinian debate—which is why I start where I do. It is probably the case that Scanlon could have served as an alternative to O’Neill (indeed, not coincidentally, Scanlon was O’Neill’s doctoral supervisor once upon a time). But O’Neill’s argument does I think have a crisp analytical architecture that makes it more suitable for my purposes than anything to be found in Scanlon’s equivalent writings.

In terms of the historical ‘choices...made’, I hope things are a little clearer in the current version. When introducing Pufendorf, I now make the link to the syllabi of the modern universities, with reference to Jon Parkin’s theme of ‘taming the Leviathan’: Pufendorf’s significance is as someone who helps to domesticate Hobbesian argument for elite sensibilities (which in turn feeds through to Rousseau’s fierce rejection of the natural law paradigm, as one who saw exactly what was going on). And carving Mandeville out of the picture means that there is now a cleaner argumentative sequence going through the various French authors: Fénelon is juxtaposed against Nicole; Montesquieu is read as offering an alternative argument to Fénelon; and Rousseau is presented as a critic of Montesquieu.

The revised presentation of Pufendorf should also, I hope, address another of Reviewer #3’s concerns, about the rival interpretation of Hobbes. The point is that Hobbes can plausibly be interpreted in different ways (and we should be no more surprised by the existence of Left Hobbesianism and Right Hobbesianism than by Left Hegelianism and Right Hegelianism, or, more recently, of Left Rawlsianism and if not Right then at least not-so-Left Rawlsianism), and Pufendorf is now introduced as someone who is working to spin the Hobbesian argument in the least egalitarian direction that he can.

I am going to push back against the criticism that was offered of the Abstract. I am advised not to ‘lead’ with the distinction between telic and deontic egalitarianism, since this is ‘not really the topic of the paper’. But what I lead with is not the distinction but ‘the critique of the influential distinction’, and that’s right: the focused discussion gets going with O’Neill’s paper, which has been selected precisely because of the productive critique of Parfit’s distinction that it presents. If this is thought to continue to be problematic, I can recast the Abstract, but I am keeping as it is for now.

‘Non-intrinsic egalitarianism must be clarified’. I have added about a hundred words to the discussion of O’Neill, both to explain why I am focusing on this contribution, and to elucidate the particular point Reviewer #3 makes about how the values NIE serves ‘aren’t fully separable from an appreciation of the value of equality itself’.

I have cut the language of ‘Strong’ and ‘Weak’ from the discussion of Hobbes.

In terms of how ‘some of the interpretations offered are quite controversial’, I hope that the more streamlined presentation of the argument will make things a little clearer as to why I am discussing the various authors in the way that I do.

With regard to the particular examples offered: concerning Hobbes I accept the critical point that is being made, and no longer seek to pass off Tuck's interpretation of Hobbes as an instantiation of NIE for the reason given (that it's ultimately about not killing one another). Concerning Hobbes and Fénelon, I agree that there are important differences of both theory and substance. The point is to draw attention to some similarities, or affinities, not to say that these are two versions of the same argument. I hope this is a bit clearer now.

Reviewer #3 also makes the point that 'more work is needed to clarify which propositions the author wishes to defend', and that 'This could be accomplished by whittling down the material or by linking all the pieces in a clear unified scheme'. I hope that the excision of Mandeville, which allows for a cleaner exposition of the French end of the argument does contribute to both a 'whittling down' and towards the desired 'clear unified scheme'. On the earlier point, though, I want to push back a little again. On my understanding of what I have written, the aim is not to 'defend' a particular set of 'propositions' that can straightforwardly be itemised. It is a more discursive piece than that, and that is partly because (as indicated above) it seeks to engage readers in contemporary political philosophy, the history of political thought, and political science more generally. As I read (and wrote!) this paper, the way it ranges widely is a feature, not a bug. I worry that a more tightly focused paper would also be a less interesting, perhaps stimulating one, and that is why I have not moved decisively in this direction.

I thank Reviewer #3 for the recommendation of Lovejoy's book. I suspect I agree with Reviewer #3 when I say that Lovejoy's work is often unfairly criticised on methodological grounds. I've certainly got something useful in the past out of his work on primitivism. But having said that, this is—as Reviewer #3 is the first to notice!—a paper in which there is a lot already going on, and so I have declined the temptation to chase down yet another line of thinking for what is already quite a crowded paper.

Non-Intrinsic Egalitarianism, from Hobbes to Rousseau

Abstract

The recent, crisp articulation of ‘Non-Intrinsic Egalitarianism’ emerged out of the critique of the influential distinction between ‘Telic’ and ‘Deontic’ egalitarianisms. Part of the promise of this approach is that it can be deployed in order to reintegrate these recent philosophical debates about equality with much older currents in the history of political thought. The paper explains how the century of argument in England and France after 1650 created the intellectual space for the kind of presentation of Non-Intrinsic Egalitarian ideas such as we find in Rousseau’s major political writings from the 1750s and afterwards. In so doing, the paper illustrates the striking extent to which fundamental political-theoretical disagreements are often driven not so much by competing normative commitments as by divergent understandings of how those commitments ramify through the sociological and institutional possibilities that disputants imagine are plausibly open to them.

Introduction

The debates about equality that have loomed so large in recent academic liberal political theory, at least since the publication of Ronald Dworkin's pair of articles on 'What is Equality' (Dworkin 1981a, 1981b) have been remarkable for their degree of analytical and philosophical sophistication on the one hand, and for their relative lack of reference to the history of political thought on the other. One reason for this lack of attention to previous reflection on the subject is methodological. Those who participate in these debates like to test philosophical principles against what they call their 'intuitions', often through the construction of elaborate thought experiments, with the goal (as it is sometimes described) of reaching 'reflective equilibrium', or a state in which intuitions and principles harmonize and provide mutual support for each other.¹ This is a method that can be learned and practiced by those who are largely ignorant of the history of reflection on whatever the particular topic to hand happens to be; and, indeed, this is one reason why this style of philosophy lends itself well to undergraduate teaching, since students can jump straight into a trolley problem, or a description of some kind of 'original position', or an auction involving clamshells, without having to absorb much political philosophy before they can start to make sense—or start to think that they can make sense, at any rate—of

¹ John Rawls coined the term 'reflective equilibrium', although he is careful to talk about what he calls 'considered judgments' and 'considered judgments duly pruned', in place of the language of 'intuitions'. See Rawls 1972, 20.

what's going on.²

There may, however, be a more interesting reason as to why reference to historical arguments have played such a slight role in the recent debates about equality. Jeremy Waldron once observed that 'Dworkin's distinctive contribution has been to insist that it is not enough for the egalitarian to "come up with" an answer. It has to be a defensible answer; indeed, it has to be an answer that can be defended on egalitarian grounds' (Waldron 2001, reviewing Dworkin 2000). Central to the recent debate, then, has been a concern to treat equality as a distinctive moral value, rather than as any kind of instrumental value pressed into the service of more fundamental values, such as liberty or the maximization of utility. Those contemporary egalitarians who want to insist on the non-derivative character of their commitment to equality, then, may very well find that the resources of the tradition of Western political philosophy are not especially helpful, and so they are frequently ignored. For if we are convinced that equality is to be valued primarily for non-instrumental purposes, then the history of political thought can be confusing terrain, very crudely because those discourses that have been organized around some kind of claim about the fundamental value of equality have tended in practice to endorse, or at least not decisively to oppose, what appear to us to be highly inegalitarian politics. By contrast, the richest accounts of the goodness of equality and, in particular, of the badness of inequality that we possess in the tradition have tended not to insist on the fundamental, non-derivative, or non-instrumental character of that equality.

So: those historic discourses that have been organized around a claim about the

² For critical discussion of such methods in ethics, together with a dose of skepticism that these 'neo-Kantian' methods have much to do with Kant, see Wood 2008, 43-54.

equality of human beings—whether Christian religion, Stoic philosophy, Roman law, and, more recently, modern natural rights theory—have all been highly ambivalent in practice about slavery, with all four presenting claims either about why slavery doesn’t really matter, or about how certain kinds of slavery might in practice be compatible with a teaching of formal human equality. Examples of the former would include those claims about how in Christ there is no slave and free (Galatians 3:28, 1 Corinthians 12:13, Colossians 3:11; cf. Philemon 1:12, Ephesians 6:5, 1 Timothy 6:1-3) or the Stoics’ insistence that what matters in life is the freedom of the mind rather than the body, as the mind is something that is always in our own power, in a way that the external world, which includes the physical movements of our own limbs, is not (e.g., *Manual* 1—and cf. 14—in Epictetus 1989). Examples of the latter might be the large body of Roman law dealing with slavery (*Institutes*, 1.3.2 in Birks, McLeod, and Krueger 1987; and *Digest*, 1.5.4.1 and 12.6.64 in Mommsen, Krueger, and Watson 1985), or the way in which the modern natural rights theory—arguably the forerunner of our current doctrine of human rights—was invented in the seventeenth century in part in order to provide new justifications of slavery to replace the older Aristotelian arguments which no longer seemed so convincing in the face of the kinds of skepticism articulated by Montaigne (and others) and of what we used to call the scientific revolution. John Locke’s arguments about slavery in the *Second Treatise of Civil Government* are probably the best-known examples of these, but generally analogous passages can be dug out of Grotius, Hobbes, Pufendorf, and the rest (Locke 1988, 283-5; Grotius 2005, 1360-73; Hobbes 1994, 126-9; 1998, ch. 8, 102-6; 1991, 141-2; Pufendorf 1991, 129-31; see also Pateman 1988, 39-76).

On the other hand, when writers in the tradition do write about the goodness of

equality or the badness of inequality, as I have indicated, it is often unclear that equality is playing any kind of fundamental or non-instrumental role. Take just the two names mentioned in the title of this paper, for example. Thomas Hobbes argued that the natural law teaches that each must acknowledge each other as an equal, but the natural law is a set of precepts organized around delivering the goal of civil peace, and all the values it espouses are strictly instrumental to that end. Jean-Jacques Rousseau is probably the most important political philosopher of equality of them all, his *Discourse on the Origin of Inequality*, still the key text addressing the topic in typical university courses on the history of modern political thought, but even Rousseau is explicit in his *Social Contract* that the varieties of political, social, and economic equality he prescribes are so prescribed in virtue of the fact that they are, on his view, necessary conditions for being able to live in security and freedom, rather than because they are somehow independently valuable in their own right (Rousseau 1997, 78).

I turn now to ‘What Should Egalitarians Believe?’, an article by Martin O’Neill from the 2008 volume of *Philosophy & Public Affairs*. O’Neill offers, to my mind, to most significant political-philosophical response to what has been the most significant individual contribution to the debate on equality since Dworkin. That is to say, he has taken aim at a central distinction that has structured so many of the treatments of equality over the last quarter century or so, which is that between ‘telic’ and ‘deontic’ egalitarianism, as presented by Derek Parfit in his well-known 1991 Lindley Lecture at the University of Kansas, ‘Equality or Priority’ (O’Neill 2008, Parfit 1995, 1997). Teleological, or ‘telic’, egalitarians accept what he calls ‘the principle of equality’ and believe that ‘it is in itself bad if some people are worse off than others’ (Parfit 1997, 204). These are to be distinguished

from those he calls 'deontic' egalitarians, who believe that although 'we should sometimes aim for equality, that is *not* because we would thereby make the outcome better' (207). For deontic egalitarians, inequality is not bad, but it is unjust.

According to O'Neill, however, we're not in Kansas anymore. 'In its most attractive versions', he maintains, 'egalitarianism is neither Telic nor Deontic', but some variety of what he calls 'Non-Intrinsic Egalitarianism' (O'Neill 2008. 121). Non-Intrinsic Egalitarians object to distributive inequalities insofar as they create stigmatizing differences in status; lead to the domination of one part of society by the rest; weaken self-respect, especially that of the worst-off; create servility and deferential behavior; and undermine healthy fraternal social relations and attitudes (121-3). From the standpoint of Non-Intrinsic Egalitarianism, Telic egalitarianism appears 'extravagant and undermotivated' (123), insofar as it fails to illuminate why it is in itself bad for inequality to exist or to persist in society; while Deontic egalitarianism can also be rejected, insofar as Deontic egalitarians invoke 'some other moral reason' (124), such as justice, to explain why inequalities should be reduced or eliminated. For Non-Intrinsic Egalitarians, by contrast, the inequalities we seek to reduce or eliminate are picked out not because it is intrinsically bad that they exist, but rather because of the pernicious consequences of letting them persist in terms of stigma, domination, or servility. But this isn't a simple instrumentalist story, in which we promote various equalisation measures in pursuit of some other, deeper moral or political value. Rather, the moral reasons we invoke in defense of a project of inequality-reduction aren't fully separable from an appreciation of the value of equality itself, involving reference to what O'Neill calls a 'complex background picture of how people should live together as equals' (125). In particular, the harms that Non-Intrinsic Egalitarianism seeks

to obviate relate in one way to another to an idea of self-respect which is 'itself a distinctively egalitarian idea: it is the idea of one's self-conception as an efficacious and undominated agent...enjoying an equality of standing with others' (128). That O'Neill's intervention has been a generative one can be seen in terms of its reception. Jubb, for example, has shown in this journal (2015) how O'Neill's perspective can fruitfully contribute to the 'realist' agenda in contemporary political theory.

I find the ways in which O'Neill articulates Non-Intrinsic Egalitarianism to be politically attractive and intellectually persuasive. But his essay is also notable insofar as it holds out a promise that we might be able to reintegrate to some extent the contemporary debates about equality among political philosophers with the history of pre-1981 political thought. O'Neill himself is alert to this. He notes that the concerns of Non-Intrinsic Egalitarians are the 'dominant themes in the history of egalitarian thought, at least since Rousseau' (129), and he identifies Non-Intrinsic Egalitarianism as 'itself a Rousseauvian position' (129, n. 28). What I seek to do in the rest of this paper, then, is to try to explain why Non-Intrinsic Egalitarianism came to be such a central element of Rousseau's political theory; or, perhaps better, how the previous century of argument on related themes in England and France created the intellectual space by the middle of the eighteenth century for the kind of presentation of Non-Intrinsic Egalitarian ideas such as we find in Rousseau's major political writings.

Thomas Hobbes

Thomas Hobbes (1588-1679) has appeared to many readers to be some kind of egalitarian, but we need to acknowledge from the outset that his thinking about equality is complex (Hoekstra 2012). The ninth law of nature might teach each man to acknowledge every other as his equal (Hobbes 1991, 107), but this is not because equality is unambiguously a good thing. Indeed, the state of nature is a state of war in large part because of some of the equalities that obtain there. The famous chapter in *Leviathan* on the state of nature announces the theme immediately, beginning with the words, 'Nature hath made men so equall...' (86), with Hobbes going on to single out as particularly important the way in which from an 'equality of ability, ariseth equality of hope in the attaining of our Ends' (87). While in the civil condition the citizens may stand in a certain kind of relationship of equality *vis-à-vis* one another, that civil society itself is constructed around, even constituted by, an awesome inequality between the subjects and the sovereign. The theoretical heart of Hobbes's concern with equality, however, is clear enough. Since it is men's pride together with their propensity to make really bad judgments that makes peaceable living impossible in the state of nature, the task of political philosophy is to find a way of defusing this explosive combination. Much of Hobbes's political theory involves secularizing religious claims, and this part of it is no exception. In place of the traditional Augustinian condemnation of pride as an offense against God (Augustine 1998, 608), Hobbes transforms pride into an offense against human equality, and close to the core of his argument is a claim that we must acknowledge one another as equals, in order to make possible the kind of political institutions and practices that will bring an end to the violence of the proud. Indeed, Hobbes insists that we must make this acknowledgment of equality *even if we are not in fact equal to each other*, in whatever sense we might happen to think

relevant (Hobbes 1991, 107; Hoekstra 2012, esp. 104-5). The centrality of pride in Hobbes's argument is even indicated in his book's title, for Leviathan is described in the book of Job in these terms: 'Upon earth there is not his like, who is made without fear. He beholdeth all high *things*: he *is* a king over all the children of pride' (Job 41:33-4). When Hobbes turns to explain his choice of title at the end of chapter 28, furthermore, he flags the theme explicitly again just before he introduces his Biblical sea-monster with a remark about how it is man's 'Pride and other Passions' that 'have compelled him to submit himself to Government' (Hobbes 1991, 220-21).

So far, so straightforward. But what might Hobbesian civil society be like in practice? On the most usual view of the matter—which I shall call the Orthodox view—our passions remain the same as they were in the state of nature, but the new artificial institutions that structure our lives ensure that the passions that helped to generate violence in the state of nature no longer issue in behavior destructive either to ourselves or to others. First and foremost, the state provides the kind of effective law enforcement that creates overwhelming incentives for us not to assault our fellow citizens. But also, and more interestingly, perhaps, our passions to dominate or to glory over others find an outlet in everyday activities that don't tend to threaten the fabric of society. Some of us enter reality TV shows or take part in competitive sports and games. Others try to write the Great American Novel, or submit their scholarly articles for publication in *Philosophy & Public Affairs* and other leading journals of egalitarian political philosophy. And it may be that economic activity is like this, too. One of the problems of the state of nature is that we can't there enjoy what Hobbes calls 'commodious living' (Hobbes 1991, 90). But in civil society, instead of violently subjugating one another, we can work to accumulate wealth in order to

have a bigger house, or a faster car, or a snappier wardrobe than those of our fellow citizens, and we take a certain pleasure in the relative superiority that we enjoy in these regards.

This is not obviously an egalitarian vision of society. If we recall O'Neill's Weak Egalitarianism, which was when we are concerned to reduce distributive inequalities, but not chiefly for any kind of distinctively egalitarian reason—we might note that it does not even meet that threshold, for as I have described things there is no particular concern to reduce the distributive inequalities that are generated through the various practices and institutions of the civil society, so long as that society is able to regulate its affairs without violence. Indeed, the point of permitting or even encouraging social and economic inequality on this view might be precisely to avoid such violence; the inequalities may be functional for the preservation of peace by satiating the yearnings of the proud.

There is more to be said on this subject, however, than simply stating what I've called the Orthodox view. Just as Hegel's philosophy naturally lent itself to 'Left' and 'Right' variations, so too we should not be surprised to find something analogous going on in the case of Hobbes. István Hont, for example, has argued for a contrast between the Hobbes of *De Cive*, who was 'relatively relaxed about economic activity', with taxation to cover military defense, but for whom 'most private trading activity fell under the rubric of innocent liberty', and the Hobbes of *Leviathan* for whom 'the regulatory regime was much more detailed and rigid' (Hont 2005, 45), with sumptuary laws, the regulation of trade, suspicion of the activities of the very wealthy, state provision for those unable to provide for themselves, and so on, in short, some of the pillars of what we might today call a broadly egalitarian social democratic welfare state. If such measures systematically worked

to reduce economic inequality, we would then have an instantiation of O'Neill's Weak Egalitarianism.

There is, furthermore, one interpretation of Hobbes in the current literature—let's call it the Unorthodox view—which makes him into an even more substantively egalitarian, and perhaps even utopian theorist. On this view, which has been pressed by Richard Tuck, Hobbesian civil society doesn't involve a redirection of our potentially destructive passions so much as a transformation of them. This view draws attention to the way that on Hobbes's distinctive account of the passions, set out in each of the three main presentations of his political ideas, the emotions we experience are centrally bound up with the competitive struggle for survival in the state of nature, and they are all concerned with judgments of superiority and inferiority. As Tuck puts it, 'Our entire emotional life, according to Hobbes, extraordinary as this might seem, is in fact a complicated set of beliefs about the best way of securing ourselves against our fellow men, with all the familiar complexities of love, pride, and laughter in the end reducible simply to a set of ideas about our own relative safety from other people's power' (2004, 132). In the well-founded commonwealth, then, on the one hand, the daily struggle for existence is no longer a pressing concern; and, on the other hand, the institution of the sovereign settles once and for all the question of who is to enjoy precedence over the rest. The result of these two developments is a transformation of our emotional lives, with the prideful passions of glorying and vainglorying fading away, to be replaced by—well, maybe by not very much at all. In the civil state we are finally able to live according to the laws of nature, acknowledging equality, behaving charitably, showing gratitude, and avoiding the expression of insult and contempt towards our fellow citizens. But note that even this

interpretation of Hobbes does not transform him into a Strong or Non-Intrinsic Egalitarian in O'Neill's terms, and that however much this utopian view of *Leviathan* might concern itself with the avoidance of stigmatizing differences in status, of unequal power relationships, or of expressions of contempt that injure the self-respect of weaker members of society, it remains a kind of Weak Egalitarianism, insofar as the equalities that obtain are still straightforwardly the consequence of a politics of preventing violence, or of the promotion of self-preservation, and desirable solely in those terms.

Samuel Pufendorf

Although Hobbes's claims about equality were attacked by his conservative, patriarchalist critics (e.g., Clarendon 1676, 32-3, or Coke 1660, 26, quoted in Parkin 2007, 230), other writers in the modern natural law tradition retained some kind of claim about equality at the heart of their theories, too. I'm not going to address any of John Locke's arguments here. His egalitarianism is complicated, but seems to me to lean more towards what we might call Intrinsic Egalitarianism, rather than being any kind of Non-Intrinsic Egalitarianism, Strong or Weak. (For relevant discussion of Locke see especially Waldron 2002.) I do, however, want to say something about Samuel Pufendorf (1632-1694), who was far more influential in his own day than he is in ours—whereas in the case of Locke, it is other way around, more or less, at least with regard to the kind of arguments I'm considering here. Pufendorf can be located as a component part of the process that Jon Parkin has called 'taming the Leviathan' (2007), through which the more radical, subversive, or disturbing aspects of Hobbes's argument could be smoothed away as his

theory was revised and incorporated into an invented tradition of modern natural law that could be safely propounded in the universities. What's striking about Pufendorf's presentation for present purposes is the way in which he can repeat some of Hobbes's foundational egalitarian moves that underpin something like what I've called the Orthodox view, but then works to spin out from them an even more overtly inegalitarian vision of modern society than anything we find in Hobbes.

So: Pufendorf's theory has a Hobbesian core. Men might be naturally unequal with respect to their various physical and mental attributes, and yet he demands (as the title of book 3, chapter 2 of *The Law of Nature and Nations* has it), 'That all Men are to be accounted by Nature equal' (cf. Viroli 1988, 66). Here are some of his words: 'Since then human Nature agrees equally to all Persons, and since no one can live a sociable Life with another, who does not own and respect him as a *Man*; it follows as a Command of the Law of Nature, *that every Man should esteem, and treat another as one who is naturally his Equal, or who is a Man as well as he*' (Pufendorf 1749, 224). But although this part of the natural law is framed in broadly egalitarian terms, Pufendorf strongly resisted any further moves in the direction of substantive social or economic equality. '[D]isparity of Riches does not of itself cause any Inequality³ amongst Fellow-Subjects', he declared, and there is 'nothing in this *Civil Inequality* any ways repugnant to those Precepts, which we have before deduced from a *natural Equality* (1749, 232). And in his discussion of price and esteem, for example, he quoted, paraphrased and registered his disagreement with

³ The printed text here has 'Equality', but this must be a typographical error, and it is corrected in a centuries-old hand in the edition I consulted (the British Library copy available through ECCO).

Hobbes's own discussion of what it is to honor someone (e.g. in ch. 10 of Hobbes 1991), and included this remark:

And as the chief Reason why a *Price* was set upon *Things*, was, that when they were to be exchanged or removed from one Person to another, they might be the better *compared* with one another; so the End intended by *Esteem*, is, that we may be able to form a *Comparison* between Men, by setting, as it were, a *Value* upon them, and, in Consequence, establish a becoming *Order* and *Distance* between them, whenever they should happen to be *united*; it evidently appearing, that nothing was more absolutely inconsistent with the *Convenience* of Life, than an *universal* Equality (Pufendorf 1749, 800).⁴

This last remark, in fact, points towards what is one of the most substantial theoretical disagreements between Hobbes and Pufendorf. For Hobbes, honor was mostly a troublesome business, driving men to seek precedence over one another and, above all, to avoid losing face. Hence 'glory', closely related to honor in Hobbes's typology of the passions, was one of the causes of war in the state of nature. Honor and esteem were far less troubling for Pufendorf, however, as any tendency that practices of honoring and

⁴ The ensuing discussion of esteem is then structured around a distinction between 'simple esteem', which is what all citizens owe one another, as long as they do not violate basic norms of sociability or non-criminality, and 'intensive esteem', which is how they make the kind of discriminations described in this passage in the civil state. This passage is discussed by Viroli 1988, 81, though the interpretation of the relationships that hold between Hobbes and Pufendorf and between Pufendorf and Rousseau are different to the ones presented here, for which I am indebted to Richard Tuck.

esteeming others might have towards fomenting conflict in the state of nature was more than balanced by a second, utilitarian tendency, which fostered a certain kind of sociability among men even in the state of nature. Men might not have had a straightforwardly natural instinct or propensity to be sociable, on Pufendorf's view, but in the state of nature they were weak and needy, and this aspect of their condition drove them to engage in exchange, commerce, trade with one another, all for the sake of utility. We might say, if we like this kind of language, that where the state of nature was more like a zero-sum game on Hobbes's account, it was, with reciprocal exchange, a positive-sum game as far as Pufendorf was concerned. This 'commercial sociability', to use István Hont's jargon (e.g. 2005, 40-41), was not the foundation of the state—as we might think that it was for Aristotle, for whom the *polis* originated in the bare needs of life, even if it continued in existence for the sake of a good life (1988, 1252b30)—but it was the foundation of a very influential account of non-political society. Indeed, this distinctive theorization of sociability, or, in Latin, *socialitas*, led to Pufendorf's followers being known as the 'socialists' or *socialisti* in seventeenth- and eighteenth-century Germany (on which see Hont 2005, 159-60 n. 1).

The Augustinians: Pierre Nicole and François de Fénelon

Just as the resources of the modern natural law tradition could be deployed in the service of a range of arguments, from what I've called the Unorthodox view of Hobbes through to the much more inegalitarian approach of Pufendorffian commercial sociability, seventeenth-century Augustinianism (here fairly broadly construed) was another discourse that could generate sharply-competing economic orientations. Pierre Nicole

(1625-1695), for example, who belonged to the group of dissident Catholic ultra-Augustinians known as the Jansenists, developed an argument that could look strikingly like Pufendorf's, even though it was built on very different theoretical foundations. A very different kind of Augustinian, François de Salignac de la Mothe-Fénelon (1651-1715), Archbishop of Cambrai and anti-Jansenist, provided an argument which has some affinities with a more egalitarian interpretation of Hobbes.

Augustinians teach that after the Fall of Man, humans are doomed to sin in the absence of divine grace, i.e., to act on morally base motives. These were generally grouped together under the general heading of 'concupiscence', but concerning which Nicole came to deploy a slightly different vocabulary, that of '*amour-propre*', or self-love (1696). Although it was sinful to act on the promptings of our self-love, Nicole argued that divine Providence ensured that, when we did so, society remained just as orderly and prosperous as it would have been had we acted in accordance with the morally preferable motives of charity, understood as the disinterested love of God and one's neighbor (1696; Parrish 2007, 188-203). This being the case, we could never reliably infer from the observable consequences of our actions whether we had acted virtuously or not, whether we had in fact been the recipients of the kind of divine grace that would enable us to act meritoriously; and, further, any attempt to inspect our own psychological motivations in pursuit of an answer to this question would run into layer upon layer of self-deception. Right now, we see through a glass darkly; but on the day of judgment, we will understand the true nature of our actions clearly enough.

For Nicole, the intercourse of self-interested agents mutually pleasuring one another—the sexual language is not at all out of place in this kind of Augustinian theory—

might be deplorable from the moral point of view; but, even as such a society generated unequal outcomes, so too the various ties of reciprocal self-interest supported rather than undermined a general social cohesion. In this, Nicole was fully in line with Pufendorf's commercial sociability (on which see Hont 2005, 47-50). From one point of view, Nicole's argument looks a bit like what I called the Orthodox view of Hobbes, involving a claim that things have been arranged in such a way that acting on prideful and other selfish passions turns out not to generate destructive conflict after all. But it isn't quite the Orthodox view, insofar as it is God who has so arranged things, rather than the 'mortall God', the Leviathan sovereign. If it is God who ensures these outcomes, then we might reflect that the central Hobbesian problem of the state of nature isn't really a problem at all, and the aggregated self-interested actions of men don't contribute towards making life solitary, poor, nasty, brutish, or short. There are certainly conspicuously Hobbesian elements in Nicole's theory: a Fallen account of human nature, and, as it happens, a staunch defence of absolutism in politics; but we might reflect that it's actually a pretty non-Hobbesian social theory doing the heavy lifting.

We get a very different kind of account from a very different kind of Augustinian. 'As arbitrary power is the bane of kings', Fénelon wrote in *Telemachus*, his sharp attack on the economic and military policy of Louis XIV, 'so luxury poisons a whole nation' (Fénelon 1994, 294). In words that still resonate, 'All live above their rank and income, some from vanity and ostentation, and to display their wealth; others from false shame, and to hide their poverty' (Fénelon 1994, 297). Fénelon argued that running an economy devoted to the production and consumption of luxury goods made war more likely, as those without access to luxury goods were tempted to use violence to acquire them, and it made that war

more dangerous, because ‘these superfluities enervate, intoxicate and torment those who possess them’ (110), making them less able to fight (134). Hobbes and Augustine might not have agreed about much, but they both thought that the goal of politics was the earthly peace. Fénelon’s charge was that any kind of Hobbesian state that permitted luxury threatened therefore to fail in its own terms. Far from the Jansenists’ darkly ironic celebration of the web of the world market, Fénelon advocated the state’s reconstruction of the entire economic sphere. His ideal modern state was presented towards the end of *Telemachus*, with his description of the city of Salente after it had been reorganized by Telemachus’s tutor Mentor, who was actually Minerva, the goddess of wisdom, in disguise. Reformed Salente is mostly made up of farmers, with the profits from agriculture spent not on luxuries but on domestically-manufactured armaments, in order to deter foreign aggression (160-72, 294-6).

The claim is sometimes made that Fénelon was the originator of the Revolutionary slogan, ‘*liberté, égalité, fraternité*’ (on which see Quantin 1989). If the slogan does have anything to do with Fénelon, it probably owes to the description of the idyllic pastoral community at Bétique that he offers in *Telemachus*: ‘[T]hey love one another with a brotherly affection that nothing can trouble. It is to their contempt for vain riches and illusory pleasures that they are indebted for this union, peace, and liberty. They are all free and all equal’ (111). The components of the revolutionary triad are all here, to be sure, but it’s hard to resist the thought that the attempt to pin the slogan on a seventeenth-century Archbishop is at bottom a piece of Catholic counter-revolutionary politics rather than anything else. For although Fénelon certainly was a cosmopolitan—one of the best-known cosmopolitans in the eighteenth century, in fact—he wasn’t much of an egalitarian at all.

His disciple, the *chevalier* Ramsay (1686-1743), rejected the idea of natural equality in his statement of the foundations of political theory ‘according to the principles of the late archbishop of Cambray’ (Ramsay 1722, 30-35); and in Fénelon’s description of Reformed Salente, the concern was not to abolish the various social classes, or to equalize their living standards, but rather to make sure they didn’t interact with one another in ways that generated discontent and civil strife. Egalitarian social relations might indeed be feasible in primitive, idyllic Bétique, but not for post-luxury Salente. Fénelon was not a Hobbist—indeed, Ramsay correctly insisted that his political theory had been directed against both Hobbes and Machiavelli (among others). But if the theoretical basis of the argument is quite different, we can, nevertheless observe certain commonalities between the institutional and economic superstructures of the more egalitarian interpretations of Hobbes and Fénelonian monarchy, with their depictions of an absolute monarch comprehensively structuring social and economic life in order to produce a frugal, industrious, harmonious and unconquerable population.

Montesquieu

Following in Fénelon’s footsteps, Charles-Louis de Secondat, baron de La Brède et de Montesquieu (1689-1755) was also troubled by the trajectory of the absolutist monarchy in France. Fénelon had written that the monarch had to learn how to ‘slacken the bow of power’, and this might be a useful way in to Montesquieu’s political thought, too (Fénelon 1994, 297). But the argument that he set out in his various writings, culminating in *The Spirit of the Laws*, represented a distinct alternative to the politics of Fénelonian reform.

On the one hand, Montesquieu rejected the anti-commercial politics of Fénelon's Reformed Salente. There was no good reason why a modern society should not seek to be a wealthy society, and Montesquieu did not share Fénelon's anxieties about the tendency of luxury to generate international conflict (Hont 2006, 404-409). But on the other hand, although Montesquieu found much to agree with in Bernard Mandeville's account of modern social and economic life as presented in *The Fable of the Bees* (Mandeville 1924), he could not straightforwardly endorse Mandeville's description of British politics and society, at least, not as a model for France. The English constitution had evolved in a remarkable way that preserved liberty amidst the furious clash of political parties and the bustle of commercial life, but Montesquieu thought that this happy outcome was the unintended consequence of England's idiosyncratic, violent and unstable political development in the seventeenth century, but not one that could be deliberately copied by its neighbor (on which see, e.g. Sonenscher 2007, 41-52).

In place of Fénelonian monarchy, therefore, Montesquieu offered a new theorization of monarchy, in which the power of the monarch had to be limited in order for the liberty of the subjects to flourish. A new politics of inequality was absolutely central to this political vision. One chapter title early in *The Spirit of the Laws* is pointedly called, 'That virtue is not the principle of monarchical government'; rather, the principle of monarchy was honor, and, according to Montesquieu, the nature of honor 'is to demand preferences and distinctions' (Montesquieu 1989, 25, 27; for discussion see Krause 2002; cf. Brooke 2017). He freely conceded that there was no *moral* reason as to why aristocrats should receive any kind of preference, and that there was something false about honor, 'but this false honor is as useful to the public as the true one would be to the individuals who could have it'

(Montesquieu 1989, 27; see also Sonenscher 2007, 103-104). The trick about honor in a monarchical society was that an unintended aggregate by-product of the jealous safeguarding of privileges and distinctions at all ranks in society was the preservation and buttressing of all of the subjects' liberties—which included the liberties to engage in commerce, thereby to become wealthy, thence to buy one's way into the honorable ranks of the otherwise non-commercial aristocracy.

We might think that this kind of defense of the utility of inequality for politics required a theoretical rejection of the more egalitarian interpretations of Hobbes, and, indeed, it's probably fair to say that Montesquieu is the most radically unHobbesian political theorist in the mainstream of the modern tradition. Montesquieu rejected pretty much the entirety of Hobbesian political theory, starting with the celebrated depiction of the state of nature. Where for Hobbes, it was certain equalities that obtained in the state of nature that made it a state of war, for Montesquieu, by contrast, the equality that prevails in a state of nature contributes to it being a peaceful state; but that, 'As soon as men are in society, they lose their feeling of weakness, the equality that was among them ceases, and the state of war begins' (Montesquieu 1989, 7). On the Unorthodox view of Hobbes, we are proud in nature, or in ill-constructed commonwealths, but in the well-founded state pride is effectively abolished. For Montesquieu, by contrast again, proud behavior is not natural but learned, far more at home in the social state than in the state of nature, and, as I've indicated, the politics of distinction, privilege and hierarchy were central to his conception of monarchy. Montesquieu dismantled Hobbes's system into its component parts, and rearranged them in strikingly unHobbesian ways. Managing equality and fear correctly were central elements of good Hobbesian politics; whereas Montesquieu drove a wedge

between these two, organizing his account of democratic republicanism around the idea of virtue as the love of equality, and his account of despotism, the nightmare possible future for France, around his notion of fear, or 'dread' (*crainte*).⁵

Montesquieu was convinced that France had to be organized along thoroughly inegalitarian lines if her citizens were to prosper in freedom. But how then should we characterize the egalitarianism of the democratic republics that he also theorized, whose animating principle was virtue, specifically understood as a love of equality? Here I'll draw on the words of Judith Shklar. 'A tight, cohesive little society of mutually watchful citizens is essential to maintain democracy and its spirit of equality', she wrote:

Censors must reinforce these informal restrains upon the conduct of adults, but nothing is more important than the upbringing of the young, who must obey the old in rigidly patriarchal households... The accused criminal must be given the most extensive protection, for the life of every citizen is equally precious, but once a sentence has been passed, there can be no pardon... [There will be] [s]umptuary laws... Since women are treated as articles of consumption in these societies, their chastity and domestication are part of the frugal probity of an egalitarian republic. Because all relationships are public in a republic, male friendship is realized only there... This was Athens at its best and it haunted Montesquieu's imagination (Shklar 1987, 77; also Montesquieu 1989, 104-11).

The inequalities of status and rights that obtain between men and women prevent us late moderns considering this a Non-Intrinsic Egalitarian position, obviously enough. But, if we

⁵ For a comparison of Hobbes and Montesquieu on 'fear' and '*crainte*', see the first two chapters of Robin 2004.

were to set gender aside, the logic of this position does seem to me to be Non-Intrinsically Egalitarian. Recall the key criteria, as O'Neill set them out. It is vital in Montesquieu's democratic republic for the citizens to avoid stigmatizing differences in status and relations of domination. (Montesquieu would deny that the old dominate the young in any objectionable way, as this is just a matter of democratic taking turns across the life-cycle.) The love of equality that characterizes the republic is essential for the self-respect of all citizens, and warns them against servile relationships. And the remarks about male friendship remind us what a thoroughly gendered idea the ideal of fraternity—central to the politics of Non-Intrinsic Egalitarianism—in practice (almost?) always turns out to be. A Montesquieuian democrat would agree that Parfit's 'telic' view of equality is 'extravagant and undermotivated', as O'Neill suggests; and the democratic republican's concern for equality does not here grow out of a wider theory of justice, as the 'deontic' egalitarians tend to suggest, but is a distinctively political phenomenon specific to a particular regime-type.

However interested Montesquieu was in describing the nature and structure of the democratic republic, this was not a state form he thought that moderns should try to create, or to recreate (De Dijn 2013). Modern Europe was not especially hospitable to small regimes, and Montesquieu insisted that his democratic republics had to be very small indeed, if relations of equality were to endure among the citizens. The Roman Republic became large, and that was its undoing—and the subject of Montesquieu's second book (1999). Certainly, Montesquieu's insistence on the small size of republics helped to create the terms of the debate that Jacob T. Levy has described (2006): Hume and the authors of the *Federalist* are the best-known critics of the 'small republic thesis', and obviously these

concerns deeply informed the constitutional deliberations at Philadelphia. But we might just note here that as the republic becomes larger, more representative and more commercial, the content of the equality that supposedly stands at its heart gets increasingly watered down into a civic ideal, or a bare claim of equality before the law, and it becomes hard to see quite how, say, Montesquieu's 'love of equality' is doing any distinctive work in the argument any more. The continental, federal republic that James Madison and Thomas Jefferson helped to create, for example, was not a Non-Intrinsic Egalitarian one, and not just because of the presence of slavery in its midst.

Jean-Jacques Rousseau

What might we say about Jean-Jacques Rousseau (1712-1778), in light of the story that I've been setting out in this paper? First, the Non-Intrinsic Egalitarianism of Rousseau's *Social Contract* and other writings on republican politics is obviously very closely modeled on Montesquieu's democratic republic, complete with the features we might find obnoxious: mutual surveillance, the censorship of morals, strictly regulated consumption, and the exclusion of women from the political realm. (It will never do, by the way, to say that Rousseau was thoughtlessly sexist in the manner of so many of his contemporaries: he thought long and hard about gender indeed before coming to his various conclusions—on which see Rosenblatt 2002.) We should not be surprised by this. Rousseau might not quite have been Montesquieu's disciple, but he was hugely impressed by and interested in *The Spirit of the Laws*. This was a book that he had read with great care, and from which he had made very extensive notes, while working as a secretary for the Dupin household from the

later 1740s—and this was also the period which was also his introduction to serious thinking about gender, for if M. Claude Dupin had him working on Montesquieu for a critical response that he was preparing (1750-51), Mme. Louise Dupin put him to work to assemble material for the history of women that she wanted to write (Cranston 1983: 204-7, 213-15).

Rousseau's key disagreement with Montesquieu was presented in the section on politics in his educational novel, *Emile*. After dismissing Grotius as a 'child of bad faith' ('*enfant de mauvaise foi*'), and Hobbes as someone who agreed with Grotius—'their principles are exactly alike' ('*leurs principes sont exactement semblables*')—he turned his attention to Montesquieu:

The only modern in a position to create this great and useless science was the illustrious Montesquieu. But he was careful not to discuss the principles of political right. He was content to discuss the positive right of established governments, and nothing in the world is more different than these two studies. (Rousseau 1979, 458.)

We might see Rousseau's response to Montesquieu as having two central elements, represented by his two best-known political texts, the *Discourse on the Origin of Inequality* and the *Social Contract*. In the first, Rousseau embraces the just-so story genre so popular in the eighteenth century, and, confining himself almost entirely to premises that Mandeville had accepted, he argued that modern hierarchical societies, whether Mandeville's or Montesquieu's, must all rest on the violence of the rich against the poor.⁶

⁶ On reading Rousseau's *Second Discourse* as a Mandevillean reply to Mandeville, see Smith, "A Letter to the Authors of the Edinburgh Review" in Smith 1980, esp. pp. 250-51; Force 2003, 18-22 and 34-42; and Robertson 2005, 392-6.

If the *Second Discourse* sought to delegitimize existing inegalitarian social and political forms, the *Social Contract* provided the body of political theory that showed what a legitimate regime must look like, and in the light of which so much of Montesquieu's presentation became untenable. The subtitle Rousseau eventually settled on for the *Social Contract*, was the 'principles of political right', or the '*principes du droit politique*', exactly what he said in *Emile* that Montesquieu himself had failed to provide, and the moment when he made his objection to Montesquieu explicit came in a remark near the end of the discussion of democracy as a form of government. He outlined the 'many things difficult to combine' that a democracy would require, and then observed:

That is why a famous Author attributed virtue to Republics as their principle; for all these conditions could not subsist without virtue: but for want of drawing the necessary distinctions, this noble genius often lacked in precision, sometimes in clarity, and he failed to see that since Sovereign authority is everywhere the same, the same principle must obtain in every well-constituted State, more or less, it is true, according to the form of the Government. (Rousseau 1978, 91-2.)

Monarchies might require less virtue, and democracies more, but virtue, understood in terms of a commitment to egalitarian citizenship and love of the *patrie*, was, for Rousseau, the principle of all legitimate political regimes.

By going back to the *principes du droit politique*, specifically in the form of a social contract argument, we might think that Rousseau was restating a version of Hobbes's theory, or those of the modern natural lawyers, such as Pufendorf. But he firmly resisted

the modern natural law school,⁷ having contempt for those he called the ‘jurisconsults’, who provided justifications for the rule of the oligarchs in his native Geneva or for the wars that the sovereigns of Europe were ceaselessly waging (Rousseau 1997, 162; also Rosenblatt 1997). Indeed, his unpublished essay on ‘The State of War’, Rousseau presented his own version of the argument that Hobbesian political thought failed in its own terms, for whether or not a state were victorious in modern warfare, modern warfare was itself made possible by the Leviathan state, and was so bloody and destructive that it was crazy to think that such a Leviathan state could be the answer to the far more mild security dilemma of any plausible state of nature (Rousseau 1997, 162-76; see also Tuck 1999, 202-7). And with reference to the passage from Pufendorf on esteem and price, and against universal equality, reproduced earlier, Richard Tuck has remarked (in his unpublished 2000 Robert P. Benedict Lectures at Boston University) that it ‘captures with remarkable clarity the twin objects of Rousseau’s scorn in the 1750s, commercial society in which commodities are exchanged on the basis of their price, and the society of social inequality in which discriminations are made on the basis of honour.’ Rousseau had more respect for Hobbes. Despite what he said about him in *Emile*, for example, he wrote elsewhere that Hobbes had been ‘one of the finest geniuses that ever lived’ (Rousseau 1997, 164). But he also considered Hobbes to be an apologist for despotism owing to the chief theoretical gulf that separated their two political theories (42-4); for Hobbes sovereignty was necessarily representative in nature, and could be alienated or transferred, whereas for Rousseau the idea of representing sovereignty at all was absurd (113-16). The only legitimate sovereign

⁷ Robert Derathé (1950) suggested that Rousseau was basically a member of the modern natural law school, but his position was refuted in Wokler (1994). But cf. Douglass 2011.

body was the people itself, meeting face to face from time to time in order to ratify legislation—and insisting on this allowed Rousseau to deny the inequality that structured even more egalitarian interpretations of Hobbes’s political thought, that between the subjects and the sovereign.

Rousseau’s distinctive contribution to this history of Non-Intrinsic Egalitarianism, then, is not that he was the first to articulate a Non-Intrinsic Egalitarian point of view. Montesquieu had done that with his depiction of democratic republicanism, as had other writers in the Utopian tradition before both of them, for whom the overcoming of pride was also often considered crucial to the possibility of happy social living together, as in More’s *Utopia* itself (Parrish 2007, 149-53). Rather, Rousseau was the first to tie the question of Non-Intrinsic Egalitarianism as it had come up within the modern tradition firmly to the question of legitimate politics itself, or the *principes du droit politique*, to argue that the only legitimate regime was a Non-Intrinsically Egalitarian polity—a move which Hobbes and Montesquieu, in their different ways, had each declined to make. O’Neill is right to say that the concerns of Non-Intrinsic Egalitarians have been ‘dominant themes in the history of egalitarian thought, at least since Rousseau’, but insofar as modern democratic theory is a series of footnotes to Rousseau’s *Social Contract*—a view I shall assert here but not defend (but see Gaus 1997)—Non-Intrinsic Egalitarianism is intimately bound up with the history of democratic theory itself.

Concluding Reflection

Many people who find themselves attracted to egalitarian politics find that they are also attracted to cosmopolitanism in ethics, and often enough to more rather than less robust accounts of the natural sociability of humankind. (Think of those on the political Left, for example, in ordinary life, who dislike those on the right for attributing too much to natural selfishness, and discounting the possibilities of altruism.) It's a very striking feature of the period I've been discussing in this paper, however, that egalitarianism and cosmopolitanism and the thicker accounts of natural sociability never really line up in this neat way. The three conspicuously egalitarian views I've considered in this paper, whether Hobbes on the Unorthodox view, Montesquieu's presentation of the democratic republic, or Rousseau's political theory, all rest on the denial or the radical attenuation of natural sociability, and all reject cosmopolitan ethics at a fairly deep level. Indeed, both Montesquieu and Rousseau can plausibly be read as arguing that egalitarian social relations are possible only to the extent that the community thinks itself different from and superior to its neighbors: *amour-propre*, after all, must find an outlet somewhere. By contrast, those who taught a thicker account of natural sociability, whether Grotius, Pufendorf, Barbeyrac or Burlamaqui, were influential apologists for inequality (see Rosenblatt 1997); and the most obvious cosmopolitans in the tradition are the Augustinians, especially Fénelon.

The reason for this is that the thinkers I've been discussing were extremely nervous about how deep the various human practices of comparing ourselves to one another go, and how fundamentally the subjective judgments of superiority and inferiority that we so frequently make shape our lives and those of the others around us. What Rousseau and Hobbes (on the Unorthodox view at least) both suggest is that if you're serious about doing

away with the pride and jealousies and vainglory and stigmatizing inequalities that disfigure our social existence, then a very radical and distinctively illiberal political solution is required. And if, with Montesquieu and Rousseau, the point of such an egalitarian community is that it exercises self-rule, ruling out the option of a monarchical Hobbesian sovereign, then the population needs to organize itself in the ways they recommend, mutual surveillance, moral censorship, gender segregation and all. Contrary to what so many contemporary egalitarians have said so often about their own commitments, in fact, for these thinkers equality really does mean a kind of sameness.

One of the attractions of Non-Intrinsic Egalitarianism is that it is not just an abstract ethical theory. Non-Intrinsic Egalitarians need to pay close attention to the social institutions and the psychological mechanisms that generate stigma or that undermine self-respect. And it may be that those who want to place Non-Intrinsic Egalitarianism at the heart of their political thinking today might usefully be thinking in a much more sociological vein that they have been doing hitherto. What in the contemporary world sustains and what undermines a politics of Non-Intrinsic Egalitarianism? The best example of a recent society that comes fairly close to the kind of democratic republics Montesquieu and Rousseau were thinking of seems to me to be something like Israel in the 1950s and 1960s, and I think they would both agree on something that seems to me to be sociologically plausible, that the egalitarianism and the nationalism and the militarism and the antagonism towards her neighbors that characterized Israeli political development in this period were all deeply interwoven with and provided mutual support for one another. If that isn't the kind of society Non-Intrinsic Egalitarians today want to work towards, then what kinds of institutions might provide adequate functional substitutes for the various

practices of nationalism, militarism and xenophobia? Or we might think of European social democracy in its classic phase, 1945-73, in which a far more moderately egalitarian society—and in many ways not egalitarian at all—was shaped and sustained by factors as important and diverse as the Cold War, a remarkable capitalist boom (in French, *les trente glorieuses*), and the strikingly contingent way in which the Second World War helped to bring about a far-reaching transformation of the right-hand side of the ideological spectrum. Again, if Non-Intrinsic Egalitarianism is to present itself as more than wishful thinking for a bygone and deeply imperfect era, it has a lot of thinking to do, but most of it on the terrain of political sociology rather than high-level normative theory.

Rousseau was quite right to criticize Montesquieu for his neglect of the principles of political right, but we might conclude that our problem is the opposite of that. Rousseauism in its contemporary incarnation as Rawlsian political thought is ubiquitous in many parts of the academy, and it pays the closest attention imaginable to the *principes du droit politique*. (For a similar complaint, see Hurley 2006, 152.) What our age needs, by contrast, is a revival of the tradition of political thinking associated above all, ironically enough, with that pillar of the *ancien régime*, the Baron de Montesquieu.

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